

Appln. Serial No. 09/473,726
Amendment Dated October 16, 2008
Reply to Office Action Mailed July 16, 2008

REMARKS

In the Office Action dated July 16, 2008, claims 1-15 were rejected under 35 U.S.C. § 112, ¶ 2; claims 4, 7, 8, 11, and 15 were objected to; claims 1-6, 9, and 12-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,680,952 (Berg) in view of U.S. Patent No. 6,141,341 (Jones); claims 7 and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Berg in view of Jones, and further in view of U.S. Patent No. 5,231,631 (Buhrke); and claims 8 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Berg in view of Jones and Buhrke, and further in view of U.S. Patent No. 6,931,111 (Coffee).

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REJECTIONS UNDER 35 U.S.C. § 112, ¶ 2 AND INFORMALITY OBJECTIONS

The § 112, ¶ 2 rejections of claims 1-15 and the informality objections of claims 4, 7, 8, 11, and 15 have been addressed by amendments made to the claims. Withdrawal of the § 112, ¶ 2 rejections and claim objections is therefore respectfully requested.

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REJECTIONS UNDER 35 U.S.C. § 103(a)

It is respectfully submitted that the obviousness rejection of independent claim 1 over Berg and Jones is defective.

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as the U.S. Supreme Court held, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

Neither Berg nor Jones provides any hint of the concept of a gateway address translator that incorporates proxies for first and second gateways, and where the gateway address translator provides a relay function for messaging between each of the first and second media gateway controllers and the corresponding one of the first and second gateways, and a virtual bearer function for messaging between the first and second media gateway controllers.

As depicted in Fig. 1 of Berg, the media gateway controller 120 is connected to each of the gateways 110 and 150 over respective IP networks. Thus, the arrangement of Fig. 1 is like any other conventional arrangement in which direct communications between a media gateway controller and a gateway is provided. This is contrasted to the subject matter of claim 1, where the gateway address translator is provided, with the gateway address translator incorporating proxies for the first and second gateways, and where the gateway address translator provides a relay function for messaging between a media gateway controller and a corresponding gateway, and the gateway address translator further providing a virtual bearer function for messaging between the first and second media gateway controllers.

There is absolutely no hint provided of any need or desirability to incorporate such a gateway address translator in the context of Berg. The Office Action cited Jones for the proposition that a gateway can include a controller. 7/16/2008 Office Action at 4. However, note that Jones is directed to a network premises gateway 10 provided at a home of a subscriber, where the network premises gateway 10 is the gateway between a PSTN and an in-premises

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POTS network. Jones, 2:9-39. Jones provides absolutely no hint whatsoever of the claimed subject matter that is clearly missing from Berg – namely, Jones provides no hint of a gateway address translator that includes proxies, a relay function, and a virtual bearer function, as recited in claim 1.

In fact, in the rejection of claim 1, the Office Action does not even refer to specific words that appear in claim 1, including “proxies” and “relay function.” Thus, it is apparent that the claimed subject matter cannot be found in Berg and Jones.

Therefore, even if Berg and Jones could be hypothetically combined, the hypothetical combination of the references would not have led to the claimed subject matter.

Moreover, a person of ordinary skill in the art would not have been prompted to combine the teachings of Berg and Jones to achieve the claimed invention. As noted above, Berg teaches that a media gateway controller communicates directly with a gateway. As taught specifically by Berg, in order for the gateway to be used with the media gateway controller, the physical configuration data of the gateway is registered with the media gateway controller. Berg, 13:3-7. Thus, this would have taught a person of ordinary skill in the art away from incorporating proxies and a relay function as recited in claim 1, since Berg would have taught the desirability for direct IP communications between a media gateway controller and a gateway. Jones similarly provides no hint whatsoever of providing proxies or a relay function as recited in claim 1. Therefore, a person of ordinary skill in the art would not have been prompted to combine the teachings of Berg and Jones to achieve the subject matter of claim 1.

The obviousness rejection of claim 1 is therefore defective.

Independent claims 9, 12, and 15 are similarly allowable over Berg and Jones.

Independent claim 13 has been amended to recite creating software proxies of the first and second gateways, and the software proxies communicating with respective ones of the media gateway controllers utilizing respective operating protocols, where the media gateway controllers are provisioned with corresponding addresses of the software proxies rather than corresponding addresses of the gateways.

As explained above, the concept of providing proxies of gateways that the media gateway controllers are to communicate with does not exist in either Berg or Jones. Moreover, since Berg specifically teaches that the media gateway controller has to be provided with physical

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configuration data of each gateway, and since Berg teaches that the media gateway controller and gateway have to perform direct IP communications, Berg would have led a person of ordinary skill in the art away from the following subject matter of claim 13: "wherein the media gateway controllers are provisioned with corresponding addresses of the software **proxies rather than corresponding addresses of the gateways.**"


In view of the foregoing, the obviousness rejection of claim 13 is also defective. Independent claim 14 is allowable for similar reasons as claim 13.

Dependent claims, including newly added dependent claims 16 and 17, are allowable for at least the same reasons as corresponding independent claims.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0212US).

Respectfully submitted,

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